

Appl. No. 10/749,491
Amdt. dated November 16, 2004
Reply to Office action of September 3, 2004

Remarks/Arguments

Claim 8 has been amended to remove the claim objection. Claim 14 has been amended to remove the 35 U.S.C. 112 rejection by changing "carriage attachment means" to "connecting rods," the support for this language being found at the top of page 6 of the specification.

Claims 1-9 and 13 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kerr. Claims 14-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Allen. Reconsideration and withdrawal of these rejections is respectfully requested in view of the foregoing amendments and for the following reasons.

Both of the cited references related to devices for securing a canoe or other watercraft in a manner that would prevent the watercraft from rocking from side to side, with the objective of both patents being to secure the watercraft for storage or transport. The apparatus of present invention, on the other hand, is specifically designed to support a canoe or other watercraft so that the watercraft will rock from side to side, enabling a person seated in the watercraft to gain experience in tipping of a watercraft.

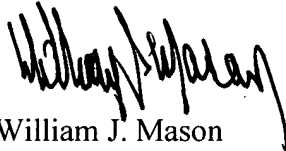
Therefore, the cited patents are of relevance only to anticipation under 35 U.S.C. 102(b) if the claims are broad enough to encompass the structure of the devices described in the cited patents. The patents can be of no relevance in regard to 35 U.S.C. 103, since the different objectives of the inventions and the structures needed to achieve the objectives are mutually exclusive.

The present amendments to the claims specify that the carriage has a curved lower surface

with the curvature being beneath the mount and the central part of said carriage. This limitation is not found in the cited patents. Therefore, there can be no anticipation. Since there would be no reason to modify the cited reference to meet this limitation, the invention, as now specifically claimed, cannot be obvious in view of the cited references.

For the forgoing reasons, and in view of the amendments to the claims, it is believed that this application now defines a patentably distinguishable invention and is accordingly in condition for allowance. Such action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William J. Mason', written in a cursive style.

William J. Mason
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